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HOUSE BILL 222 By
Odom

SENATE BILL 205
By Henry

AN ACT to amend Tennessee Code Annotated, Title 70, Chapter 4, Part 1, relative to hunting in residential areas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-4-108, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c)

(1) It is unlawful to hunt, take, pursue, chase or kill any big game within one hundred (100) yards of a visible dwelling house, without the written permission of the owner of such dwelling house, in any residential area.

(2) As used in this subsection, unless the context otherwise requires:

(A) "Residential area" means a parcel of real property which:

(i) contains a dwelling house for human habitation;

(ii) is located within the boundaries of a municipality; and

(iii) is located within a county having a population in

excess of two hundred fifty thousand (250,000) according to the

1990 federal census population or any subsequent federal census.

(B) "Municipality" means an incorporated town or city which is located within a county having a population in excess of two hundred fifty thousand (250,000) according to the 1990 federal census or any subsequent federal census or the urban services district of a metropolitan government which is located within a county having a population in excess of two hundred fifty thousand (250,000) according to the 1990 federal census or any subsequent federal census.

(d) A violation of the provisions of subsections (a) or (b) of this section is a Class C misdemeanor.

(e) The first violation of subsection (c) of this section is a Class B misdemeanor, punishable only by a fine of \$500. A second or subsequent violation of subsection (c) of this section is a Class B misdemeanor. It is mandatory upon the court to impose the prison sentence, upon conviction for a second or subsequent offense of violation of subsection (c) of this section, and the prison sentence is not subject to suspension.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.